



**THE CIVIL AVIATION AUTHORITY
(NAVIGATION SERVICES CHARGES)
SPECIFICATION 2021**

No: 98
Publication Date: 11 January 2021
Taking Effect on: 1 January 2021

TRANSPORT ACT 2000

CHARGES FOR AIR SERVICES

SPECIFICATION BY THE CIVIL AVIATION AUTHORITY

THE CIVIL AVIATION AUTHORITY (NAVIGATION SERVICES CHARGES) SPECIFICATION 2021

TAKING EFFECT ON 1st JANUARY 2021

The Civil Aviation Authority (“CAA”), in exercise of the powers conferred by sections 73, 74 and 75 of the Transport Act 2000 **(a)**, hereby makes the following Specification:

Citation and commencement

1. This Specification may be cited as the Civil Aviation Authority (Navigation Services Charges) Specification 2021 and shall take effect on 1st January 2021.

Revocation

2. The Civil Aviation Authority (Navigation Services Charges) Specification 2020, which took effect on 1st January 2020, is revoked.

Interpretation

3. (1) In this Specification –

“NERL” means NATS (En Route) plc, a company incorporated in England and Wales with number 4129273 whose registered office is at 4000 Parkway, Whiteley, Fareham, Hants PO15 7FL;

“United Kingdom Air Pilot” means the document so entitled in force at the date of making this Specification and published under the authority of the CAA;

(2) Unless otherwise defined in this Specification and unless the context otherwise requires, expressions used in this Specification shall have the same respective meanings as in the Transport Act 2000 and the Air Navigation Order 2016 **(b)**.

Charges for London Approach services

4. (1) Subject to the provisions of this Specification, the operator of every aircraft for which chargeable air services are provided by NERL in connection with an approach to any of London-Heathrow, London-Gatwick, London-Stansted, London-City and London-Luton aerodromes (whether or not the services are actually used or could be used with the equipment installed in the aircraft), shall pay to NERL a charge calculated according to the following formula:

$$r = TSU \times U$$

where *r* is the charge for the flight,

TSU is the terminal service unit relating to that flight, and

U is the unit rate of £12.87.

- (2) For the purposes of paragraph 4(1) the terminal service unit relating to a flight shall be equal to the weight factor for the aircraft concerned. The weight factor, expressed as a figure taken to two decimal places, shall be the quotient, obtained by dividing by fifty the number of metric tons in the highest maximum certified take-off weight of the aircraft, to the power of 0.7.
- (3) For the purposes of paragraph 4(2) the highest maximum certified take-off weight of the aircraft is the number of metric tons in the maximum certificated take-off weight of the aircraft as shown in the certificate of airworthiness or any equivalent official document provided by the aircraft operator. Where this weight is unknown, the weight of the heaviest aircraft of the same type known to exist shall be used. Where an aircraft has multiple certificated maximum take-off weights, the maximum one shall be used. Where an aircraft operator operates two or more aircraft which are different versions of the same type, the average of the maximum take-off weights of all his aircraft of that type shall be used for each aircraft of that type.

Charges for services provided in the Shanwick Oceanic Control Area

5. Subject to the provisions of this Specification, the operator of every aircraft (whether or not registered in the United Kingdom) that flies within the Shanwick Oceanic Control Area, as described in the United Kingdom Air Pilot on the date this Specification takes effect, and in respect of which a flight plan is communicated to the appropriate air traffic control unit in relation to its flight in that Area shall pay to NERL, for the chargeable air services made available by it in relation to that flight, a charge of £55.21.

Charges for ADS-B data

6. The operator of every aircraft (whether or not registered in the United Kingdom) that flies across the Atlantic (formerly NAT) area shall pay to NERL an ADS-B data charge ("the Atlantic data charge") of £33.97 per flight, provided that at the time of the flight the ADS-B service is fully available.
7. Subject to paragraph 8, the operator of every aircraft (whether or not registered in the United Kingdom) that flies across the Tango area shall pay to NERL an ADS-B data charge of £5.08 per flight provided that at the time of the flight the ADS-B service is fully available. Oceanic Tango flights are defined as flights operating along the length of ATS routes T9 and T290, as defined and promulgated in the UK AIP, within a defined volume of airspace bounded by coordinates 4500N 01000W, 4500N 00845W, 4834N 00845W, 4841N 01000W, 4500N 01000W.
8. Flights that cross both the Atlantic and Tango areas will pay only the Atlantic ADS-B data charge.
9. For the purposes of this Specification, the ADS-B service is fully available as certified by NERL's Board in December 2019, which means that NERL is providing an Automatic Dependent Surveillance-Broadcast-based Oceanic En route Air Traffic Control Service to at least 99% of all users of the En

route (Oceanic) Area that have the correct and functioning equipment, regulatory approval and plan to use it.

Charges for services provided for North Sea helicopters

10. (1) Subject to the provisions of this Specification, the operator of every helicopter (whether or not registered in the United Kingdom) which flies within the area specified in sub-paragraph (2) of this paragraph while on a flight from any place in the United Kingdom to a vessel or an off-shore installation within the said area shall pay to NERL, for the chargeable air services made available by it in relation to that flight, a charge of £479.00.
- (2) The area referred to in sub-paragraph (1) of this paragraph is the area bounded by straight lines joining successively the following points –

6300N 00500W; 632833N 000000EW; thence south along the UK Median Line to 5500N 00302E; 5500N 00100W; 5600N 00230W; 5740N 00230W; 5740N 00400W; 5830N 00400W; 5830N 00500W; 6300N 00500W.
- (3) Subject to the provisions of this Specification, the operator of every helicopter (whether or not registered in the United Kingdom) which flies within the area specified in sub-paragraph (4) of this paragraph while on a flight from any place in the United Kingdom to a vessel or an off-shore installation within the said area shall pay to NERL, for the chargeable air services made available by it in relation to that flight, a charge of £348.00.
- (4) The area referred to in sub-paragraph (3) of this paragraph is the area bounded by straight lines joining successively the following points –

5500N 00100W; 5500N 00300E; 5423N 00245E; 5256N 00309E; 5230N 00247E; 5226N 00137E; 5238N 00140E; 5251N 00124E; 5319N 00010E; 5500N 00100W.

Value Added Tax charge

11. For the purpose of reimbursing NERL in respect of value added tax payable on the provision of chargeable air services for which a charge is payable pursuant to this Specification there shall be charged an additional charge equal to the amount of such tax and the incidence of the first mentioned charge shall determine the incidence of the additional charge.

Circumstances in which charges are payable by the owner

12. If NERL is unable, after taking reasonable steps, to ascertain who is the operator, it may give notice to the owner of the aircraft that it will treat him as the operator for the purposes of this Specification until he establishes to the reasonable satisfaction of NERL that some other person is the operator; and from the time when the notice is given NERL shall be entitled, for so long as the owner is unable to establish as aforesaid that some other person is the operator, to treat the owner as if he were the operator, and for that purpose the provisions of this Specification (other than this paragraph) shall apply to the owner as if he were the operator.

By Order of the Civil Aviation Authority

C R Staples, Secretary and General Counsel, Civil Aviation Authority, Aviation House, Beehive Ringroad, Crawley West Sussex RH6 0YR

18 December 2020

EXPLANATORY NOTE

(This note is not part of the Specification)

1. This Specification revokes and replaces the Civil Aviation Authority (Navigation Services Charges) Specification 2020.
2. This Specification sets out the charges payable in connection with London Approach services provided by NATS (En Route) Plc (“NERL”) in respect of five London airports: Heathrow, Gatwick, Stansted, City, Luton.
3. Charges in connection with such services are set at £12.87 for each terminal service unit (paragraph 4(1)).
4. The core charge payable to NERL by the operator of an aircraft which flies within the Shanwick Oceanic Control Area and in respect of which a flight plan is communicated to the appropriate air traffic control unit is £55.21 (paragraph 5).
5. The Oceanic ADS-B data charge is £33.97 per flight for crossings in the Atlantic area and £5.08 per flight for crossings in the Tango area. Flights that cross both the Atlantic and Tango areas will pay only the Atlantic charge. (paragraphs 6 to 9)
6. The charge payable to NERL by the operator of a helicopter which flies from any place in the United Kingdom to a vessel or an offshore installation within the area of the Northern North Sea described in paragraph 10(2) is £479 (paragraph 10(1)).
7. The charge payable to NERL by the operator of a helicopter which flies from any place in the United Kingdom to a vessel or an offshore installation within the area of the Southern North Sea described in paragraph 10(4) is £348 (paragraph 10(3)).

(a) 2000 c.38.

(b) S.I. 2016/765.